

47300

CORRES. CONTROL
INCOMING LTR NO.

04347 RF94

DUE
DATE

ACTION

| DIST. | LTR | ENC |
|-------------------|-----|-----|
| BURLINGAME, A.H. | | |
| BUSBY, W.S. | | |
| CARNIVAL, G.J. | | |
| CORDOVA, R.C. | | |
| DAVIS, J.G. | | |
| FERRERA, D.W. | | |
| FRAY, R.E. | | |
| GEIS, J.A. | | |
| GLOVER, W.S. | | |
| GOLAN, P.M. | | |
| HANNI, B.J. | | |
| HEALY, T.J. | | |
| HEDAH, T.G. | | |
| HILBIG, J.G. | | |
| HUTCHINS, N.M. | | |
| JACKSON, D.T. | | |
| KELL, R.E. | | |
| KUESTER, A.W. | | |
| MARX, G.E. | | |
| MCDONALD, M.M. | | |
| McKENNA, F.G. | | |
| MORGAN, R.V. | | |
| PIZZUTO, V.M. | | |
| POTTER, G.L. | | |
| SANDLIN, N.B. | | |
| SATTERWHITE, D.G. | | |
| SCHUBERT, A.L. | | |
| SCHWARTZ, J.K. | | |
| SETLOCK, G.H. | | |
| STIGER, S.G. | | |
| TORBIN, P.M. | | |
| VOORHEIS, G.M. | | |
| WILSON, J.M. | | |
| PETER, K | X | |
| SCHRADER, DC | X | |

CORRES. CONTROL X X
ADM. CONTROL X X
PATS/T130GReviewed for Addressee
Corres. Control RFP11-29-94 1204
DATE BY

Ref Ltr. #

DOE ORDER # 5400.1

RF-46522 (Rev. 6/94)

STATE OF COLORADO

Roy Romer, Governor
Patricia A. Nolan, MD, MPH, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION

4300 Cherry Creek Dr. S. 222 S. 6th Street, Room 232
 Denver, Colorado 80222-1530 Grand Junction, Colorado 81501-2768
 Phone (303) 692-3300 Phone (303) 248-7164
 Fax (303) 759-5355 Fax (303) 248-7198

Nov 28 2 31 PM '94



EG&G
 ROCKY FLATS PLANT
 CORRESPONDENCE CENTER
 Colorado Department
 of Public Health
 and Environment

November 18, 1994

Mr. Steven W. Slaten
 U. S. Department of Energy
 Rocky Flats Office, Bldg. 116
 P.O. Box 928
 Golden, Colorado 80402-0928

Mr. Martin Hestmark
 U.S. Environmental Protection Agency
 Region VIII
 999 18th Street, Suite 500, 8WM-C
 Denver, Colorado 80202-2405

RE: OU 9 Dispute Resolution for Tanks T-8, T-9, T-24, T-32

Gentlemen,

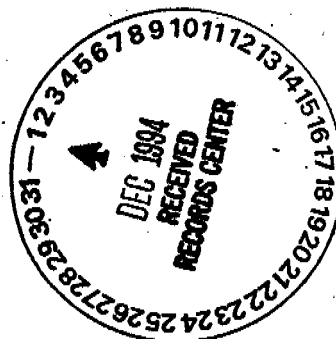
The Colorado Department of Public Health and the Environment, Hazardous Materials and Waste Management Division (the Division), offers the attached dispute resolution statement for the above referenced dispute. It is our current understanding that DOE intends to continue using tanks T-24 and T-32 for hazardous waste storage, thereby requiring a modification to the existing Rocky Flats hazardous waste permit. We have structured the dispute resolution language accordingly.

If you have any questions regarding these matters, please call me at 692-3356.

Sincerely,

Joe Schieffelin, Unit Leader
 Rocky Flats IAG Unit
 Hazardous Waste Control Program

cc: Dan Miller, AGO
 Steve Tarlton, CDPHE-OE
 Chris Gilbreath, CDPHE
 Cathy Alstatt, CDPHE
 Paul Cote, DOE
 Kyle Peter, EG&G



ADMIN RECORD

A-0009-000233

OU 9 Dispute - Tanks T-8, T-9, T-24, and T-32
11/7/94

Resolution:

1. As of the execution date of this dispute resolution, CDPHE grants full and unconditional approval of Technical Memorandum 1 to the Phase I RFI/RI Workplan for Operable Unit 9.
2. In accordance with the IAG, DOE will submit to CDPHE and EPA, within 60 calendar days of the execution of this dispute resolution, a plan to complete investigation of tanks T-8 and T-9. This plan shall include investigation of the soil, ground water, and tanks in a manner similar to that proposed in TM 1 for other OU 9 tanks (e.g., investigation of both the surface and subsurface soils above and in the vicinity of the tanks; investigation of ground water, if encountered in the boreholes from which subsurface soil samples are obtained; an external inspection of the tanks, if accessible; an internal inspection of the tanks, including pressure testing; an investigation of internal residues with wipe samples or rinse and rinsate sampling; and a schedule for implementing the proposed work). The investigation of tanks T-8 and T-9 will be conducted as a part of the other TM 1 tank investigations. The DOE Operations Division will facilitate the investigation of tanks T-8 and T-9 by making alternative containment available for plenum deluge discharge for the duration of the internal tank sampling and testing.
3. DOE intends to permit tanks T-24 and T-32 for ongoing hazardous waste storage. As such, these tanks will remain a part of the IAG, but have no schedules associated with them for investigation and remediation. To fulfill permitting requirements for tanks T-24 and T-32, DOE must submit to CDPHE, within 60 calendar days of the execution of this dispute resolution, a request to modify the existing hazardous waste permit to include these tanks. This permit modification request must include information indicating compliance with the requirements of the Colorado Hazardous Waste Regulations, Part 264, Subpart J. Part of these requirements include submittal of a closure plan for the tanks. To fulfill IAG CERCLA requirements, this closure plan must be reviewed and approved by CDPHE and EPA and include protocols for meeting performance standards for radionuclides.
4. If DOE determines that it does not intend to permit tanks T-24 and T-32, DOE must submit, within 60 calendar days of the execution of this dispute resolution, a plan to complete

investigation of tanks T-24 and T-32. This plan shall include investigation of the soil, ground water, and tanks in a manner similar to that proposed in TM 1 for other OU 9 tanks (e.g., investigation of both the surface and subsurface soils above and in the vicinity of the tanks; investigation of ground water; if encountered in the boreholes from which subsurface soil samples are obtained; an external inspection of the tanks, if accessible; an internal inspection of the tanks, including pressure testing; an investigation of internal residues with wipe samples or rinse and rinsate sampling; and a schedule for implementing the proposed work). In this case, the investigation of tanks T-24 and T-32 will be conducted as a part of the other TM 1 tank investigations.

Steven W. Slaten
IAG Project Coordinator, DOE

Date

Joe Schieffelin
IAG Project Coordinator, CDPHE

Date

Martin Hestmark
IAG Project Coordinator, EPA

Date